

REFERENCE TITLE: voting; absence from employment

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1330

Introduced by
Senators Bennett: Terán

AN ACT

AMENDING SECTION 16-402, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-402, Arizona Revised Statutes, is amended to
3 read:

4 16-402. Absence from employment for purpose of voting;
5 notice; violation; classification

6 A. A person WHO IS entitled to vote at a primary or general
7 election held within this state ~~may~~, on the day of election OR FOR
8 IN-PERSON EARLY VOTING, MAY BE absent ~~himself~~ for the purpose of voting
9 from the service or employment at which ~~he~~ THE PERSON is employed. ~~if~~
10 ~~there are less than three consecutive hours between the opening of the~~
11 ~~polls and the beginning of his regular workshift or between the end of his~~
12 ~~regular workshift and the closing of the polls. In such event, he~~ THE
13 PERSON may BE absent ~~himself~~ for ~~such length of time~~ FIVE CONSECUTIVE
14 HOURS at the beginning or end of ~~his~~ THE PERSON'S workshift ~~that, when~~
15 ~~added to the time difference between workshift hours and opening or~~
16 ~~closing of the polls, will provide a total of three consecutive hours. He~~
17 THE PERSON shall not, ~~because of such absence,~~ be liable for any penalty
18 BECAUSE OF THAT ABSENCE, nor shall THE EMPLOYER MAKE any deduction ~~be made~~
19 ~~therefor~~ from ~~his~~ THE PERSON'S usual salary or wages BECAUSE OF THAT
20 ABSENCE. ~~Application shall be made for such absence prior to~~ THE PERSON
21 SHALL NOTIFY THE EMPLOYER OF THE ABSENCE BEFORE the day of election, and
22 the employer may specify the hours during which the employee may BE absent
23 ~~himself~~.

24 B. A person who refuses an employee the right conferred by this
25 section, ~~or~~ who subjects an employee to a penalty or reduction of wages
26 ~~therefor~~, FOR AN ABSENCE TO VOTE AS PRESCRIBED BY THIS SECTION or who
27 directly or indirectly violates ~~the provisions of~~ this section, ~~is~~ guilty
28 of a class 2 misdemeanor.